

ORDINANCE NO. 1333

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING SECTIONS OF THE LODI MUNICIPAL CODE AS  
AUTHORIZED BY GOVERNMENT CODE 550022.7, PURSUANT  
TO AN ORDINANCE ANALYSIS OF CITY OF LODI MUNICIPAL CODE.

Be it ordained by the City Council of the City of Lodi  
as follows:

SECTION 1. The Lodi Municipal Code of the City of Lodi, as  
authorized by Government Code 550022.7, is hereby amended to  
reflect changes as to code arrangement, adoption, amendment, or  
repeal of certain ordinances, or sections of ordinances, in  
order to bring said Code into compliance with law and as  
recommended by Book Publishing Company, the official codifier  
of the City of Lodi Municipal Code. For identification  
purposes, said amendments herein will refer to PC (prior code)  
numbers and sections, as follows:

1) GENERAL PROVISIONS (ORDAINING CLAUSE) (NEW TITLE 1)

PC 51-1--1-11 (REPEAL AND REENACT).

(A new General Provisions Ordinance has been prepared by  
the City Attorney (accompanying herewith) for City Council  
action as recommended by Book Publishing Co. in order to  
bring up to current law.)

NOTE: All references within the Lodi Municipal Code  
referring to Director of Public Works shall be amended to  
read "Public Works Director".

2) ADMINISTRATION AND PERSONNEL. (NEW TITLE 2)

(1) §§PC §§2-81, 2-83, 2-84 (City Council Salaries)  
are hereby amended to delete reference to Government  
Code 536514 and substitute in its place a reference to  
Government Code §36516.

(2) PC 52-82 (Population) is hereby repealed.

(3) PC 52-83 Amend to reflect current City Council salary of Two Hundred Dollars per month.

(4) PC §2-95(a) (Conflict of Interest Code) is hereby amended to read "30 days after being appointed or nominated", rather than the present language which is 10 days before assuming office or 10 days before being confirmed.

(5) PC §17-2.1 (Maximum age of employees) is hereby amended to change the mandatory retirement age from 65 to 70.

(6) PC §17-3 (Status of employees) is hereby repealed.

(7) PC §17-12 (Political activity) is hereby repealed.

3) REVENUE AND FINANCE. (NEW TITLE 3)

A. PC 2-64 (Formal Contract Procedure) is hereby amended to read that the advertisement for bids will be conducted as provided for in the Government Code.

B. PC 123-7.1 (Uniform Local Sales and Use Tax)

(1) PC §§23-5(b)(4), 23-6(b)(3) and 23-7.1 are hereby repealed.

(2) PC §23-5(b)(4.5)(ii) is hereby repealed.

(3) PC §23-5(b)(4.5) is hereby amended to add sales tax exemption.

C. PC §§23-24--23-34 (Real Property Tax Transfer Tax) is hereby amended to include exemptions.

D. PC 2-64(g) (Formal Contract Procedure, Performance Bonds) is hereby amended to change last 3 words of last sentence to "bidding documents".

E. PC 2-65 (Open Market Procedure) is hereby amended to read "five thousand dollars".

F. PC §13-6 (Lost and Unclaimed Property) is hereby repealed.

- G. PC 92-36 (Special Gas Tax Street Improvement Fund) is hereby amended as authorized by the Streets and Highways Code.

4) BUSINESS LICENSES, TAXES AND REGULATIONS. (NEW TITLE 5)

- A. PC §12-14 (Business Licenses Generally) is amended to read as provided by the "State Constitution".
- B. PC §16-12 (Pawnbrokers, Junk and Secondhand Dealers) is amended to require every person having a permit under this Chapter shall comply with reporting requirements as set forth in Business and Professions Code § 21628 as presently worded or as hereinafter amended.
- C. PC 24-1 (Taxicabs and Other Vehicles for Hire) The definition of transportation companies as presently defined, is hereby amended to read "charter-party carriers of passengers".
- D. PC 2A-7(d) (Ambulance Services) is hereby amended to read as follows:
- "The fact that such ambulances comply with all state laws and orders applicable to the licensing of the emergency vehicles."

5) HEALTH AND SAFETY (NEW TITLE 8)

PC 10-4, 5, and 6: Ordinance No. 1319 adopting 1982 Uniform Fire Code was adopted by the Council on 6/6/84 and sent to codifier.

6) PUBLIC PEACE, MORALS AND WELFARE (NEW TITLE 9)

- A. PC 15-3 (Begging) is hereby repealed.
- B. PC 15-5 (Disorderly Conduct) is hereby repealed.

- C. PC 15-8 (Indecent or Lewd Behavior and Dress) is hereby repealed.
- D. PC 15-10 (Noisy and Boisterous Conduct) is hereby repealed.
- E. PC 15-11 (Picketing, Loitering, etc.) is hereby repealed.
- F. PC 15-14 (Profane, Obscene, etc. Language) is hereby repealed.
- G. PC 15-16 (Speeches in Public Places - Definitions) is hereby repealed.
- H. PC 15-17 (Same - Permit Required) is hereby repealed.
- I. PC 15-18 (Spitting in Public Places) is hereby repealed.
- J. PC 15-19 (Weapons-Carrying Concealed) is hereby repealed.

7) VEHICLES AND TRAFFIC (NEW TITLE 10)

PC Chapter 14 - The Motor Vehicles and Traffic Ordinance is presently being rewritten by the Public Works Department.

8) STREETS, SIDEWALKS AND PUBLIC PLACES (NEW TITLE 12).

A. PC §9A-24 (Encroachments) is hereby amended to delete reference to Vehicle Code Section. The last paragraph is amended to read:

"The warning signs, lights and other safety devices shall conform to City requirements and State of California's Department of Transportation Manual."

B. PC §§ 21-1--21-11 (Obstruction, curbs, gutters, and sidewalks) are hereby repealed.

9) PUBLIC SERVICES'. (NEW TITLE 13).

A. PC 2-39(b) (Procedure Upon Delinquency) is amended to include the following wording following the first sentence:

"Prior to any discontinuance of service furnished to the customer by city, the customer shall be given the opportunity to be heard as to any adjustment or cancellation of any bill. Said hearing shall be held before the director of finance or his designee,"

B. PC 2-42 and 2-43 (Flat Rates **for** Water and Sewer Connections and Rate Changes.) is hereby amended to be combined into one section entitled "Water and Sewer Connection Rates" and shall read: "The Public Works Director may, with the approval of the Finance Director, establish or change rates charged for water and sewer connections based on the average cost to the City for such connections made within the preceding six-month period."

C. PC 2-46 (Right of Access of City Employees for Purposes of Inspection) is hereby amended to repeal that portion of the paragraph that states there will be discontinuance of service for refusal of right of access to premises.

D. PC 2-49 (Self Closing Valves Required on Water Hoses) is hereby repealed.

E. PC 2-52 (Waste of Water) is hereby repealed.

F. PC 2-53 (When Metered Water Service to be Supplied) is amended to read as follows:

"The Public Works Director shall require the installation of metered service when the Public Works Director determines it to be in the best interest of the City. Meters on existing

service shall be installed by the City at City's expense.

Meters on new service shall be installed by the City, but shall be paid for by the applicant."

- G. PC 25-A-2 (Public Hearing to Ascertain Whether Certain Structures Should be Removed or Installed) is hereby amended to read ~~45~~ days' notice to property owners.
- H. PC 26-1 (Water rates) is hereby amended to read that rates shall be as established by resolution of the City Council from time to time.
- I. PC 26-2 (Rates for Service Outside City) is hereby amended to read: "The City of Lodi will not normally serve water outside the City Limits. In those cases where it is authorized by the City Council, the rates shall be established by resolution of the City Council."
- J. PC 26-3 (Rates Not Otherwise Provided For) shall be amended to read "as agreed upon by the director of finance and the public works director".
- K. PC 26-20 (Water Conservation) is hereby repealed.

#### 10) BUILDINGS AND CONSTRUCTION (NEW TITLE 15)

PC 5-40(a): Ordinance 1319, adopting 1982 Uniform Fire Code was adopted **6/6/84** and sent to codifier.

#### 11) SUBDIVISIONS (NEW TITLE 16)

- A. PC ~~22-11~~(a) (Tentative Maps) is hereby amended to conform to Government Code 166452.6 which requires **a 24-month** expiration period on approval or conditional approval of a tentative map.

- B. PC 22-11(c) is hereby amended to conform to Government Code 5664526 which limits extensions of tentative map approval to 12 months.
- C. PC 22-30(b) (Improvement Security) is hereby amended to conform to updated Government Code 566499.7 (Subdivision Map Act) and shall read as follows:

"(b) Security securing the payment to the contractor, his or her subcontractors and to persons furnishing labor, materials or equipment may, after passage of the time within which claims of lien are required to be recorded pursuant to Article 3 (commencing with Section 3114) of Chapter 2 of Title 15 of Part 4 of Division 3 of the Civil Code and after acceptance of the work, be reduced to an amount not less than the total claimed by all claimants for whom claims of lien have been recorded and notice thereof given in writing to the legislative body, and if no such claims have been recorded, the security may be released in full."

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect (30) days from and after its passage.

Approved this 15th day of August, 1984

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MAYOR

Attest:

ALICE M. REIMCHE  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1333 was introduced at a regular meeting of the City Council of the City of Lodi held August 1, 1984 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held August 15, 1984. by the following vote:

Ayes: Council Members - Pinkerton, Olson, Reid,  
Hinchman & Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1333 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE  
City Clerk

Approved as to form

RONALD M. STEIN  
City Attorney